

III. Remarks

Claims 6-8, 11-15 were previously pending. No amendments are made with this paper. Reconsideration of Claims 6-8, and 11-15 in light of the following remarks is respectfully requested.

Claim Rejections under 35 U.S.C. §112

The Office Action reiterated the rejection of claims 6 and 15 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In the previous response, Applicants amended the claims to remove the “encapsulating/decapsulating” language from claim 6, and to remove the “and/or” language from claim 15. These were the only aspects of the claims identified by the examiner in conjunction with the §112 rejection. (See Office Action of 12/16/2009 at 3.) Applicants submit that the claims as previously amended, and as amended herein, are definite.

Accordingly, Applicants respectfully request that the examiner either withdraw the §112 rejections or provide clarification as to why they are were maintained despite the claim amendments.

Claim Rejections under 35 U.S.C. §102

The Office Action indicated that Claim 15 was rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,523,696 to Saito et al. (“Saito”). Applicants traverse the rejection.

In response, Applicants note that Claim 15 recites “a tunneling establishing section for establishing a TCP/IP session through a tunneling connection with the relay device via the Internet.” With regard to this limitation, the examiner has shown a teaching in Saito of an “IP Processing Function 224” in Figs. 8 and 49. This disclosure in Saito appears to merely describe simple IP communications, and not “a TCP/IP session *through a tunneling connection*” as recited in Claim 15.

As an example to further illustrate this distinction, Applicants note that ¶80 of their application’s specification states:

[0080] Here, the "tunneling" refers to technologies for connecting networks (router) of IPv4 and IPv6 through an IPv4 network, and more specifically refers to technologies for tunneling to terminate multiple equipment which belong to different networks with a VPN (virtual private network). In this embodiment, IPv4 packets communicated among equipment are capsulated with IPv4.

Applicants respectfully submit that the prior art does not teach using tunneling communication between a relay device installable within a home appliance and an Internet-based server that allows access to and control of the home appliance through a command conversion unit.

Applicants appreciate that this distinction contrasts with previous statements made in the prosecution of this application, including for example the statements made in the Response dated March 2, 2009. Applicants withdraw their previous statements that erroneously characterized Saito as disclosing a tunneling connection or a virtual private network and request the examiner to consider only the actual teachings of the references.

Accordingly, Saito does not disclose the device of Claim 15. Reconsideration and allowance are respectfully requested.

Rejections under 35 U.S.C. §103(a) (Saito in view of Breh)

The Office Action indicated that Claims 6, 8 and 11-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,523,696 to Saito et al. ("Saito") in view of U.S. 2004/0054789 to Breh ("Breh"). Applicants respectfully traverse the rejection of Claims 6, 8, and 11-12.

Applicants note that Claim 6 recites "a tunneling establishing section for establishing a tunneling connection between the network-enabled home appliance and the server." With regard to this limitation, the examiner has shown a teaching in Saito of an "IP Processing Function 224" in Figs. 8 and 49. This disclosure in Saito appears to merely describe simple IP communications, and not "a tunneling establishing section *for establishing a tunneling connection* between the network-enabled home appliance and the server" as recited in Claim 6. Independent Claims 8, 12 and 13 recite similar limitations.

Applicants appreciate that this distinction contrasts with previous statements made in the prosecution of this application, including for example the statements made in the Response dated March 2, 2009. Applicants withdraw their previous statements that erroneously characterized Saito as disclosing a tunneling connection or a virtual private network and request the examiner to consider only the actual teachings of the references.

Accordingly, Saito and Breh do not disclose the devices of independent Claims 6, 8, and 12. Dependent claim 11 further limits claim 8. Reconsideration and allowance are respectfully requested.

Rejection under 35 U.S.C. § 103(a) (Saito in view of Sekiguchi)

Claims 13 and 14 are rejected under 35 U.S.C. § 103(a) over Saito in view of U.S. 6957257 to Sekiguchi ("Sekiguchi").

Applicants note that Claim 13 recites "a tunneling establishing section for establishing a TCP/IP session through a tunneling connection with the relay device." With regard to this limitation, the examiner has shown a teaching in Saito of an "IP Processing Function 224" in Figs. 8 and 49. This disclosure in Saito appears to merely describe simple IP communications, and not "a tunneling establishing section for establishing *a TCP/IP session through a tunneling connection* with the relay device" as recited in Claim 13.

Applicants appreciate that this distinction contrasts with previous statements made in the prosecution of this application, including for example the statements made in the Response dated March 2, 2009. Applicants withdraw their previous statements that erroneously characterized Saito as disclosing a tunneling connection or a virtual private network and request the examiner to consider only the actual teachings of the references.

Accordingly, Saito and Sekiguchi do not disclose the device of Claim 13. Dependent claim 14 further limits claim 13. Reconsideration and allowance are respectfully requested.

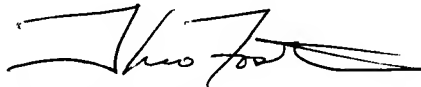
Dependent Claims

Dependent claims 7, 11, and 14 dependent from and further limit independent claims that have already been shown above to be allowable over the art of record. Thus, claims 7, 11, and 14 are also allowable. Reconsideration and allowance are respectfully requested.

IV. Conclusion

In light of the foregoing, it is believed that all matters set forth in the Office Action have been addressed and that Claims 6-8 and 11-15 are in condition for allowance.

Respectfully submitted,

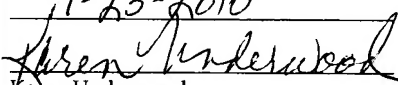


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Karen Underwood